

Figure SC850.F11. Notice of Hearing

LA DEPARTMENT OF LABOR
APPEALS UNIT
POST OFFICE BOX 94094
BATON ROUGE LA 70804-9094

FEB 11 1997

000123
US ARMY

ALJ

**NOTICE TO APPEAR FOR HEARING
BEFORE**

ADMINISTRATIVE LAW JUDGE PRENTISS STEVENS, JR.
POST OFFICE BOX 94094
BATON ROUGE LA 70804-9094

LOUISIANA DEPARTMENT OF LABOR
OFFICE OF EMPLOYMENT SECURITY

FAX: (504) 342-4223
TELEPHONE: 1-800-256-8023 OR (504) 342-2807

02-07-97

CLAIMANT: Doe, John

EMPLOYER: US ARMY

SOCIAL SECURITY NO: 111-11-1111

DOCKET NO: H00042AT1997

APPEALED BY: ☒ CLAIMANT ☐ EMPLOYER

APPEAL REFERENCE NUMBER: 00042

DATE OF HEARING: WEDNESDAY, FEBRUARY 19, 1997

TIME: 9:00 A.M.

PLACE OF HEARING: OFFICE OF EMPLOYMENT SECURITY
1711 NASHVILLE AVENUE
HAMMOND LA

IN DETERMINING ELIGIBILITY FOR UNEMPLOYMENT INSURANCE BENEFITS, THE ISSUE(S) BEFORE THE JUDGE
IS (ARE) THE CORRECTNESS OF THE FOLLOWING:

Whether the employee was discharged due to misconduct

****IMPORTANT****

BRING THIS NOTICE WITH YOU AND REPORT DIRECTLY TO THE RECEPTION COUNTER.
DO NOT STAND IN LINE.

* * * ADDITIONAL INSTRUCTIONS ON BACK - READ CAREFULLY * * *

READ THESE INSTRUCTIONS CAREFULLY

This hearing shall be conducted by an impartial Administrative Law Judge and shall be recorded for further review in the event that the Judge's decision is appealed. All testimony will be taken under oath or affirmation. Hearings shall be scheduled to be conducted by telephone when any party is 50 miles or more from the hearing site in order to save time and to allow parties to participate in the same hearing where it would not be practical for them to travel to a common hearing location. All other hearings shall be conducted in person at the stated location of the Employment Security Office.

HEARING PROCEDURES

All parties are expected to appear at the stated hearing location no later than the scheduled starting time shown on the notice of hearing. In the case of an in-person hearing, the names of the parties will be called in the waiting room of the Employment Security Office. When a telephone hearing has been scheduled for any or all parties, the Judge shall telephone the party/parties at the scheduled hearing time. If the appealing party fails to appear at an in-person hearing within (15) minutes after the scheduled hearing time OR fails to be available to receive the call at the scheduled hearing time of a telephone hearing, the Judge shall NOT proceed with a hearing and shall instead order the appealing party in default and dismiss the appeal. If any other party fails to appear at an in-person hearing at the scheduled hearing time or fails to be available to receive the call at the scheduled hearing time of a telephone hearing, the Judge shall proceed to conduct the hearing without such party and make a decision without such party's testimony or evidence. REMEMBER THAT THE TIME SHOWN ON THE HEARING NOTICE IS LOUISIANA TIME (CENTRAL TIME ZONE).

REPRESENTATIVES

You may be represented by an attorney or have witnesses at the hearing. The burden of proof in a voluntary leaving issue rests upon the claimant. The burden of proof in a discharge case rests upon the employer. The party upon whom the burden of proof lies must decide if it is necessary to have witnesses available to prove their case. For instance, an unsworn statement is not sufficient to rebut sworn testimony. The hearing officer will not, on his or her own motion, mandate that a party either have legal representation or produce witnesses. It is your responsibility to notify the Appeals Tribunal and have your representatives and/or witnesses at the number at which you will be called or with you at an in-person hearing. FEES FOR REPRESENTATION MUST BE APPROVED BY THE ADMINISTRATOR OF THE LOUISIANA DEPARTMENT OF LABOR.

SUBPOENAS

Witnesses who are reluctant to appear for the hearing at your request may be subpoenaed by the Judge. Requests for subpoenas must be submitted in writing and shall contain the name and home address of the witness and a specific statement of what is intended to be proven by his or her testimony. Such requests must be received at least 72 hours before the time of the scheduled hearing, excluding holidays and weekends.

EXHIBITS

Exhibits (written documents) which you want included in the hearing should be mailed as soon as possible to the Judge or brought with you to an in-person hearing. In matters involving health, a doctor's certificate should be sent to the Judge. Do not bring or mail the Judge a statement of your case. During the hearing you may refer to notes, but you will not be allowed to read your testimony.

WITHDRAWAL

The appellant may withdraw the appeal by sending a written request to the Judge prior to the time of the scheduled hearing.

POSTPONEMENTS

If either party or his representative or witness is unable to attend the hearing (or be available for a telephone hearing), the party may request a postponement or continuance of the hearing. The request for postponement shall be submitted to the Administrative Law Judge and should provide a showing of good cause in writing. Any request for postponement or continuance received by the Administrative Law Judge after the hearing decision is mailed shall be denied.

During a telephone hearing, remember that the equipment being used does not permit more than one person to speak at a time. If the connection is broken and you are cut off, hang up your telephone and the Judge will call you back. Be prepared to present all testimony and evidence at the hearing as the Judge cannot accept additional evidence after the hearing is closed unless good cause is shown to reopen the hearing.

IF YOU NEED ADDITIONAL INFORMATION, CONTACT THE NEAREST APPEALS TRIBUNAL.